

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
April 23, 2020

Honorable Ikaika Anderson
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning, Planning and Housing, to which was referred Resolution 20-56 entitled:

"RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO NONCONFORMING USES,"

introduced on February 21, 2020 reports as follows:

The purpose of Resolution 20-56 is to direct the Director of the Department of Planning and Permitting ("DPP") to process an amendment to the Land Use Ordinance ("LUO"), Chapter 21 of the Revised Ordinances of Honolulu 1990 ("ROH"), in the same manner as if that amendment had been proposed by the Director.

The proposed LUO amendment, attached as Exhibit "A" to the Resolution, would amend LUO provisions relating to the limitation on what constitutes an ordinary repair to not more than 50 percent (instead of not more than 10 percent) of the current replacement cost of the structure within a 12-month period; provided that the floor area of the structure must not be increased, and the 50 percent of the current replacement cost limit does not apply when the work is necessary to comply with government mandates.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON **JUL 8 2020**

COMMITTEE REPORT NO. **110**

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At your Committee's meeting on April 23, 2020, the DPP Acting Director expressed concerns that the proposed LUO amendment may be counter to the policy statement in ROH Section 21-4.110, which provides that constraints are placed on nonconformities to facilitate eventual conformity with LUO provisions.

Your Committee received written testimony in support of the Resolution from the Hawaii Construction Alliance; Hawaii Laborers-Employers Cooperation & Education Trust; Hawaii Operating Engineers Industry Stabilization Fund; Pacific Resource Partnership; and International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii.

Your Committee finds that the LUO amendment proposed in this Resolution appears to be consistent with the General Plan and Development Plans of the City and it appears that, if enacted, it would be in the best interests of the people of the City and County of Honolulu.

Your Committee on Zoning, Planning and Housing is in accord with the intent and purpose of Resolution 20-56 and recommends its adoption. (Ayes: Elefante, Kobayashi, Manahan, Menor – 4; Ayes with reservations: Waters – 1; Noes: None.)

Respectfully submitted,



Committee Chair

At the 7/8/20 Council meeting, the Resolution was amended and subsequently adopted as Resolution 20-56, FD1.

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